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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/018,184	03/15/2002	Ralf Duckeck	1949	1706

7590 06/19/2003

Striker Striker & Stenby
103 East Neck Road
Huntington, NY 11743

EXAMINER

GIBSON, ERIC M

ART UNIT	PAPER NUMBER
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3661

DATE MAILED: 06/19/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/018,184

Applicant(s)

DUCKECK, RALF

Examiner

Eric M Gibson

Art Unit

3661

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 March 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 10-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 10-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 March 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Drawings

1. The drawings are objected to because figures 1, 2A and 2B require descriptive text labels accompanying the blank boxes. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 10-15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

a. Claims 10 and 15 recite the phrase "essentially at a largest possible scale" in lines 9 (claim 10) and 10-11 (claim 15). This phrase renders the claims indefinite because the metes and bounds of the claimed limitations cannot be ascertained. The scope of what constitutes "essentially" the "largest possible" scale is unclear and indefinite.

b. Claims 11-14 are necessarily rejected as being dependent upon a rejected base claim.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 10-15 are rejected under 35 U.S.C. 102(b) as being anticipated by Takanabe et al. (US004675676A).

a. As per claim 10, Takanabe teaches a method of controlling the scale of a map detail shown on a display unit of a navigation device including setting the scale of map detail displayed as a function of a distance from a decision point on a calculated driving route (see table 1, column 14), setting the scale in such a way that the current position and the decision point are both displayed (column 11, lines 36-40), and displaying the route at the largest possible scale (column 14, lines 52-57).

b. As per claim 11, Takanabe teaches either displaying both the current position of the vehicle and the decision point (column 11, lines 36-40) or just an area surrounding the current position (column 16, lines 43-47).

c. As per claim 12, Takanabe teaches that the scale is inversely proportional the distance (see table 1, column 14).

d. As per claim 13, Takanabe teaches increasing the scale in preset stages (see table 1, column 14).

e. As per claim 14, Takanabe teaches changing the scale when the current vehicle position has reached a decision point (column 15, lines 37-55).

f. As per claim 15, Takanabe teaches a navigation device including a display unit for showing a map detail (1, figure 1), a control unit (10, figure 1) for setting the scale of map detail displayed as a function of a distance from a decision point on a calculated driving route (see table 1, column 14), the control unit further setting the scale in such a way that the current position and the decision point are both displayed (column 11, lines 36-40), and displaying the route at the largest possible scale (column 14, lines 52-57).

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Nimura et al. (US006202026B1) teaches a map display device and a recording medium. Takishita (US006121900A) teaches a method of displaying maps for a car navigation unit. Harada (US006061003A) teaches a map acquisition system, map acquisition unit and navigation apparatus equipped with a map acquisition unit. Nomura (US005951622A) teaches a navigation system drawing recommended route upon different scale display map. Yano et al. (US005936631A) teaches a mobile navigation system. Kaneko et al. (US005283562A) teaches a map display apparatus.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric M Gibson whose telephone number is (703) 306-4545. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Cuchlinski can be reached on (703) 308-3873. The fax phone

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numbers for the organization where this application or proceeding is assigned are (703) 305-7687 for regular communications and (703) 305-7687 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

EMG
June 13, 2003



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